

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371**

2001  
41-1526

#3

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5)

INTERNATIONAL APPLICATION NO.  
PCT/EP99/09444INTERNATIONAL FILING DATE  
03 December 1999 (03.12.99)PRIORITY DATE CLAIMED  
03 December 1998 (03.12.98)

TITLE OF INVENTION

POROUS COMPOSITE MATRIX AND THE PRODUCTION AND USE THEREOF

APPLICANT(S) FOR DO/EO/US

Peter ANGELE and Richard KUJAT

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371©(2))
  - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US)
6. ☐ A translation of the International Application into English (35 U.S.C. 371 ©(2)).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371©(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371©(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371©(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371©(5)).

Items 11. to 16. below concern other document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A FIRST preliminary amendment.  
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
  - (i) Copy of English language Search Report (Form PCT/ISA/210)

U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.50)

INTERNATIONAL APPLICATION NO.

ATTORNEY'S DOCKET NUMBER

PCT/EP99/09444

24741-1526

17. ☐ The following fees are submitted:**CALCULATIONS**

PTO USE ONLY

**Basic National Fee (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00

**ENTER APPROPRIATE BASIC FEE AMOUNT = \$860.00**

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 \_\_\_\_ 30 \_\_\_\_ months from the earliest claimed priority date (37 CFR 1.492(e)) \$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	97 -20 =		X \$18.00	\$
Independent Claims	8 -3 =		X \$80.00	\$

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00 \$

**TOTAL OF ABOVE CALCULATIONS = \$860.00**

\_\_\_ Applicants claim small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. \$

**SUBTOTAL = \$860.00**

Processing fee of \$130.00 for furnishing English translation later the 20 \_\_\_\_ 30 \_\_\_\_ months from the earliest claimed priority date (37 CFR 1.492(f)) + \$

**TOTAL NATIONAL FEE = \$860.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property + \$

**TOTAL FEES ENCLOSED = \$860.00**

				Amount to be:
				refunded \$
				charged: \$

a. ☒ A check in the amount of \$860.00 to cover the above fees is enclosed.

b. \_\_\_ Please charge my Deposit Account No. 08-1641 in the amount of \$ \_\_\_\_ to the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1641. A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

SEND ALL CORRESPONDENCE TO:

Customer ID No. 26633

Patricia D. Granados

HELLER EHRMAN WHITE &amp; MCAULIFFE, LLP

1666 K Street, NW, Suite 300

Washington, DC 20006

Tel: (202) 912-2000

Fax: (202) 912-2020



**26633**

*Patricia D. Granados*  
SIGNATURE

NAME: PATRICIA D. GRANADOS

REGISTRATION NUMBER: 33,683

DATE: JUNE 4, 2001

FORM PTO-1390 (Modified) (PREVIOUS EDITIONS ARE OBSOLETE)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTORNEY'S DOCKET NUMBER	
TRANSMITTAL LETTER  THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371				741/1526 	
		U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.5) 09/857,343			
INTERNATIONAL APPLICATION NO. PCT/EP99/09444	INTERNATIONAL FILING DATE 03 December 1999 (03.12.99)	PRIORITY DATE CLAIMED 03 December 1998 (03.12.98)			
TITLE OF INVENTION POROUS COMPOSITE MATRIX AND THE PRODUCTION AND USE THEREOF (AS AMENDED)					
APPLICANT(S) FOR DO/EO/US Peter Angele and Richard Kujat					
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:					
<p>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</p> <p>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</p> <p>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</p> <p>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.</p> <p>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371©(2))</p> <p style="margin-left: 40px;">a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> has been transmitted by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US)</p> <p>6. <input checked="" type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371 ©(2)).</p> <p>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371©(3))</p> <p style="margin-left: 40px;">a. <input checked="" type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</p> <p style="margin-left: 40px;">b. <input type="checkbox"/> have been transmitted by the International Bureau.</p> <p style="margin-left: 40px;">c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</p> <p style="margin-left: 40px;">d. <input type="checkbox"/> have not been made and will not be made.</p> <p>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371©(3)).</p> <p>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371©(4)).</p> <p>10. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371©(5)).</p>					
Items 11. to 16. below concern other document(s) or information included:					
<p>11. <input checked="" type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</p> <p>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</p> <p>13. <input type="checkbox"/> A FIRST preliminary amendment.</p> <p style="margin-left: 40px;"><input checked="" type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</p> <p>14. <input type="checkbox"/> A substitute specification.</p> <p>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</p> <p>16. <input checked="" type="checkbox"/> Other items or information:</p>					
Copy of first submission of Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning A Filing Under 35 U.S.C. 371, filed June 4, 2001					

U.S. APPLICATION NO. (If known, see 37 C.F.R. 1.50)  
09/857,343

INTERNATIONAL APPLICATION NO.  
PCT/EP99/09444

NEY'S DOCKET NUMBER  
37838-0009

17. ☐ The following fees are submitted:

### CALCULATIONS

PTO USE ONLY

#### Basic National Fee (37 CFR 1.492(a)(1)-(5):

Neither international preliminary examination fee (CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....\$1000.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO.....\$860.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO.....\$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4).....\$690.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4).....\$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT = \$

Surcharge of \$130.00 for furnishing the oath or declaration later than 20 \_\_\_ 30 X months from the earliest claimed priority date (37 CFR 1.492(e))

\$130

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	
Total Claims	38-20	18	X \$18.00	\$324
Independent Claims	6-3	3	X \$80.00	\$240

MULTIPLE DEPENDENT CLAIM(S) (if applicable) + \$270.00 \$

TOTAL OF ABOVE CALCULATIONS = \$694.00

\_\_\_ Applicants claim small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2. \$

SUBTOTAL = \$694.00

Processing fee of \$130.00 for furnishing English translation later the 20 \_\_\_ 30 \_\_\_ months from the earliest claimed priority date (37 CFR 1.492(f)). + \$

TOTAL NATIONAL FEE = \$694.00

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +

\$40.00

09/07/2001 MKAYPAGH 00000034 09857343

TOTAL FEES ENCLOSED = \$734.00

01 FC:154	130.00 OP
02 FC:966	324.00 OP
03 FC:964	240.00 OP

Amount to be:  
refunded \$

charged: \$734.00

- a. X A check in the amount of \$734.00 to cover the above fees is enclosed.
- b. \_\_\_ Please charge my Deposit Account No. 08-1641 in the amount of \$ \_\_\_ to the above fees. A duplicate copy of this sheet is enclosed.
- c. X The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 08-1641. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

Patricia D. Granados  
HELLER EHRMAN WHITE & MCAULIFFE, LLP  
1666 K Street, NW, Suite 300  
Washington, DC 20006  
Tel: (202) 912-2000  
Fax: (202) 912-2020



26633

SIGNATURE

NAME: PATRICIA D. GRANADOS

REGISTRATION NUMBER: 33,683

DATE: SEPTEMBER 4, 2001

FEE TRANSMITTAL  
for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT (\$) 734

## Complete if Known

Application Number	09/857,343	PATENT TRADEMARK OFFICE
Filing Date	June 4, 2001	
First Named Inventor	Angele et al	
Examiner Name	unassigned	
Group / Art Unit	unassigned	26633
Attorney Docket No.	24741/1526	

## METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit  
Account  
Number

08-1641

Deposit  
Account  
Name

Heller Erhman White &amp; McAuliffe

- ☒ Charge Any Additional Fee Required  
Under 37 CFR 1.16 and 1.17  
☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☒ Payment Enclosed:

- ☒ Check ☐ Credit card ☐ Money  
Order ☐ Other

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	710	201	355	Utility filing fee	
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	

SUBTOTAL (1)

(\$ 0)

## 2. EXTRA CLAIM FEES

Total Claims	38	-20	=	18	X	Fee from below	18	=	Fee Paid	324
Independent Claims	6	-3	=	3	X	80	=	240		
Multiple Dependent					X		=	0		

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	80	202	40	Independent claims in excess of 3
104	270	204	135	Multiple dependent claim, if not paid
109	80	209	40	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2)

(\$ 564)

## 3. ADDITIONAL FEES

Large Entity Fee Code	Large Entity Fee (\$)	Small Entity Fee Code	Small Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	130	123	130	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 170)

## SUBMITTED BY

Complete (if applicable)

Name (Print/Type)

Patricia D. Granados

Registration No. Attorney/Agent)

33,683

Telephone

202-912-2000

Signature

Date

September 4, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.